

June 30, 2010

TO: Teresa Parsons, SPHR
Director's Review Program Supervisor

FROM: Kris Brophy, SPHR
Director's Review Program Investigator

SUBJECT: Sharon Sterling v. Department of Social and Health Services (DSHS)
Allocation Review Request ALLO-09-068

Director's Determination

This position review was based on the work performed for the six-month period prior to September 11, 2009, the date the Department of Social and Health Services (DSHS) Classification and Compensation Unit (CCU) received the request for position review. As the Director's Review Investigator, I carefully considered all of the documentation in the file, the exhibits, and the verbal comments provided by both parties during the telephone conference, as well as the follow-up correspondence. Based on my review and analysis of Ms. Sterling's assigned duties and responsibilities, I conclude her position is properly allocated to the Human Resource Consultant Assistant 2 (HRCA 2) classification.

Background

On September 14, 2009, DSHS CCU received Ms. Sterling's Position Description form, signed on September 11, 2009 requesting her HRCA2 position be reallocated to the Human Resource Consultant 1 (HRC 1) class. On October 22, 2009, Ms. Ellen Andrews, Classification & Compensation Manager, DSHS, notified Ms. Sterling that her position was properly allocated as a HRCA 2. Ms. Andrews concluded the majority of duties assigned to the position and the level of supervision received met the HRCA 2 classification (Exhibit A-3).

On November 9, 2009, the Department of Personnel (DOP) received her request for a Director's review of DSHS's allocation decision (Exhibit A-1).

A Director's review conference was held with Sharon Sterling and Ms. Andrews on April 7, 2010. A second session was held on April 13, 2010. By email dated April 22, Ms. Sterling submitted a follow-up written statement regarding issues raised during the conference

sessions. By email dated April 30, Ellen Andrews submitted a response to Ms. Sterling's written statement. On May 10, 2010, Ms. Sterling submitted a final rebuttal statement. These materials have been added to the file as Exhibits A-16, B-7, and A-17 respectively.

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

Summary of Ms. Sterling's Perspective

Ms. Sterling contends she performs first-level professional human resource assignments in recruitment and selection, payroll and attendance, performance appraisal, and the Family Medical Leave Act. She asserts her work is not technical in nature. Ms. Sterling asserts she serves as an active recruiter in the E-Recruiting program and uses her professional judgment and experience to process recruitments including providing guidance to hiring managers, creating and publishing requisitions, providing primary and secondary assessments and screening of applications, processing payroll for all employees in her assigned area of responsibility, monitoring performance planning (i.e. PDP) process timelines, and serving as the primary HR representative for questions relating to FMLA (Exhibits A-2, A-16, and A-17).

Summary of DSHS Perspective

DSHS asserts Ms. Sterling's work is paraprofessional and technical in nature and she performs routine HR functions. DSHS asserts she works independently under general supervision and applies her specialized knowledge of E-recruiting, payroll and attendance, and other technical HR functions to complete her assignments. The recruitment process in Children's Administration headquarters is prescribed by her supervisor (Recruitment Manager) and carried out by Ms. Sterling. DSHS asserts she follows well-defined HR policies and procedures when providing information and performing her assigned HR functions. DSHS asserts the level of work and the scope of her assigned duties and responsibilities best fit within the paraprofessional level of HRCA 2 (Exhibits A-3, and B-7).

Duties and Responsibilities

Ms. Sterling submitted a draft Position Description Form (PDF) to her supervisor, Ms. Debbie Cheney-Strange, in early September, 2009. Ms. Cheney-Strange revised the time percentages and signed the PDF on September 10, 2009. Ms. Sterling reviewed and signed the completed PDF on September 11, 2009. DSHS CCU received the PDF on September 14, 2009 (Exhibit B-2). Ms. Sterling's supervisor and manager subsequently revised the PDF work statements and percentages of time to reflect what they expected the position to

be in the future pending an upcoming reorganization. This PDF was provided to DSHS on October 7, 2009 (Exhibit B-3).

Ms. Sterling stated she did not see the October 7, 2009 PDF. While the October 7 PDF is outside the review time period, Ms. Andrews reviewed both the 9/11/2009 and 10/7/2009 PDF in her analysis and ultimately denied both PDF's (see Exhibit A-3). During the Director's review conference the parties agreed to revise the percentages of work for Ms. Sterling's assigned duties to reflect her work during the review period. These duties and percentages of work have been summarized and incorporated into the record as Exhibit A-16.

Ms. Sterling provides HR functional support and technical consultation to CA Headquarters executives, mid-managers, supervisors, regional human resource staff and employees. Ms. Sterling performs a variety of human resource duties. Ms. Sterling works independently under general supervision and interprets, explains, and applies institutional and human resource rules, regulations, policies, and procedures to accomplish her work.

Her major job duties are listed below: (Summarized from Exhibit A-16)

- 50% Recruitment/Position Description Form – Serves as recruiter with responsibility for running the end-to-end recruitment process within the defined Recruiter (Limited) role of E-Recruiting. Works with hiring managers to prepare and/or revise PDF's to identify position requirements for posting; receives approval and opens requisitions, posts positions, conducts screening, certifying, and closing recruitments upon completion of selection process. In addition to the recruitment process, provides guidance to managers and appointing authorities in preparing and updating PDF's when positions are created, revised, or reallocated.
- 30% Payroll/Time & Attendance – Processes payroll and time and attendance actions for all employees in Central Intake (CI), Division of Licensing Resource (DLR), and CA headquarters (HQ). Process leave including medical shared-leave. Processes stand-by hours; leave accruals, inputs hourly work hours and leave requests; calculates paid time for holidays; prepares termination forms for employee separations; runs report journals to check final payments to employees.
- 10% Family Medical Leave Act – Serves as primary HR representative for processing FMLA requests for CI, DLR, and HQ employees. Explains and answers questions regarding FMLA; provides and processes required documentation; reviews researches employee eligibility and notifies employee managers of results.
- 5% Performance Development Plan – Monitors PDP planning process including notifying managers when PDP's are due, records completion and reviews information for correct documentation prior to filing.
- 5% Other Duties – Performs related duties as assigned.

Comparison of Duties

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations. While examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification.

The Class Series Concept for Human resource professionals and paraprofessionals includes the following: (see Exhibit D-1)

Human resource professionals are involved in assignments that frequently crossover or merge traditional functions and specialties. . . .

The Human Resource Consultant is a professional series with a Human Resource Consultant Assistant 1 and 2 as the paraprofessional levels. Positions in this series may require specialization in one or a limited number of human resource areas or may be assigned a wide variety of responsibilities.

Examples of professional responsibilities typically assigned include, but are not limited to: classification, compensation, recruitment, selection, affirmative action, diversity, staff and leadership development and training, career counseling, employee recognition and motivation, advising management on corrective and disciplinary actions, representing an organization in appeals or grievances, conducting labor negotiations, mediation or arbitration, organizational analysis or development, interpretation and application of laws, rules, policies and procedures, and other personnel services. Positions may also be assigned workplace safety or security issues, loss control analysis or prevention, program or policy development, quality consultation, or other functions relating to human resource management in an organization.

Examples of paraprofessional or technical responsibilities typically assigned include, but are not limited to: interpreting rules and policies to direct payroll actions, explaining human resource policies, procedures, and programs to employees, managers, the public, and others; providing technical assistance to support the professional responsibilities listed above; providing guidance to others in registering or applying for human resource programs, completing requests for personnel actions, benefits, etc.; providing training or orientation in area of responsibility; maintaining confidential records and generating reports.

Comparison of duties to Human Resource Consultant 1.

The Human Resource Consultant 1 Definition reads as follows:

Performs first-level professional human resource assignments in one or more areas of the human resource function such as classification, compensation, benefits, recruitment and selection, affirmative action and equal employment opportunity,

reasonable accommodation, training, organizational development, and/or labor relations.

The Human Resource Consultant 1 Distinguishing Characteristics are described as follows:

Under general supervision, performs first-level professional human resource assignments. Works under the regular guidance of a higher level human resource professional or manager. Supervisor typically reviews work in progress as well as outcomes and assists with work prioritization. Positions work independently in making decisions regarding work processes or methods which will be used. Assignments are typically reoccurring, of limited scope, and/or involve a portion of a project. Assignments require analysis of a variety of policies and rules and development of strategies to resolve problems consistent with established standards.

In reviewing the above duties and the context with which Ms. Sterling performs those duties, the majority of her work does not reach the overall level of responsibility required by the Definition and Distinguishing Characteristics for this class.

Ms. Sterling's recruitment duties include following prescribed procedures within the E-recruiting program which includes writing and posting requisitions to the E-Recruiting website. Ms. Sterling does not have responsibility for developing assessments or writing test questionnaires. Ms. Sterling reviews candidate profiles and assesses and screens candidates for educational and other qualifications. She is responsible for scoring applicants and determining the appropriate number of candidates for eligible lists. She certifies and forwards certified lists to hiring managers who have independent hiring authority. Once notified of a hire, Ms. Sterling closes the recruitment. She uses checklists throughout the process to keep track of progress. Ms. Sterling follows prescribed agency procedures for completing recruitments. Ms. Sterling's supervisor and the HRC 1 designated in E-Recruiting as the Recruiter resolve complex issues related to E-recruiting. In total, Ms. Sterling performs specialized technical duties regarding the recruitment process.

The assistance Ms. Sterling provides to hiring managers in preparing or revising PDFs primarily involves making sure they are properly completed in order to run recruitments. She works with hiring managers to ensure appropriate standard template language is included, primarily regarding qualifications for the Social Worker and Health Program Consultant 1 and 2 classes. Ms. Sterling provides occasional support to employees and managers to make sure PDFs are properly completed for reallocation purposes. She does not provide consultation or training to managers on content. Overall, these duties are technical in nature.

Ms. Sterling stated during the Director's conference that she is the payroll representative for DLR and has that designated role in the statewide HRMS payroll system. A large portion of her work regarding payroll and time and attendance involves dealing with late information. She sends out time and attendance reminders for hourly employees. She processes hourly employee timesheets and calculates hours worked including vacation, personal holiday and

holidays. She tracks stand-by time and medical leave and conducted data input and resolves coding issues due to system constraints. She resolves time and attendance issues to ensure proper system coding. These duties are technical in nature.

Ms. Sterling states the research she performs regarding FMLA and shared leave approval involves reviewing employee records for prior requests to determine eligibility. She follows standard procedures and ensures practices are consistently applied throughout her assigned area. Ms. Sterling explains the technical aspects of leave reporting or other functions, such as calculating service credit or processing a personnel action. While Ms. Sterling performs some level of consultation and guidance regarding the above, it primarily pertains to process. Ms. Sterling provides resources and information about standards and practices, as well as human resource rules, policies, regulations or procedures. The scope of her human resource consulting work is paraprofessional in level and is best described as technical level support.

Ms. Sterling's overall level of responsibility and scope of duties do not reach the Definition and Distinguishing Characteristics for this class.

Comparison of Duties to Human Resource Consultant Assistant 2

The Human Resource Consultant Assistant 2 Definition describes the position as performing "a variety of paraprofessional and technical duties in one or more human resource areas providing support to management and staff."

The Human Resource Consultant Assistant 2 Distinguishing Characteristics are described as follows:

Assistant to professional level human resource staff and management. Works independently under general supervision and within established guidelines. Applies specialized knowledge and uses independent judgment in resolving technical and paraprofessional problems and interpreting and applying human resource rules, policies, regulations or procedures. Reviews the accuracy of records, exercises decision making authority, and initiates corrective action within established guidelines.

The Distinguishing Characteristics for this class accurately describe the overall scope and level of responsibility of Ms. Sterling's position. She works independently under the general supervision of higher level human resource staff and applies her specialized knowledge to perform technical recruitment, payroll and attendance, FMLA and other HR functions. She applies her specialized knowledge and uses independent judgment to process payroll, leave, FMLA and shared leave requests, and employee performance development plans. The level, scope, and diversity of Ms. Sterling's assigned duties and responsibilities best fit within the paraprofessional level.

In addition, the level of work she performs in her position is supported by many of the typical work examples identified on the HRCA 2 class specification:

"Interpreting, explaining, and applying human resource rules, policies, regulations or procedures;"

"Responds to inquiries and resolves problems in areas such as... benefits eligibility or calculations, leave administration, or compensation..."

"Participates in employment and recruitment activities such as conducting screening interviews, administering and scoring examinations, notifying applicants of examination results, certifying candidates for vacancies..."

"Reviews and ensures the accuracy and completeness of human resource documents such as leave and salary records and employee data forms;"

"Analyzes and summarizes data and prepares reports using computerized systems and coordinates the maintenance of computerized human resource information or other recordkeeping systems; verifies accuracy of records and documenting adjustments; maintains confidential records;"

Ms. Sterling performs important HR work within her assigned area of responsibility. In reviewing the totality of her duties and responsibilities, her position is best described by the Human Resource Consultant Assistant 2 classification.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The mailing address for the Personnel Resources Board (PRB) is P.O. Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located at 600 South Franklin, Olympia, Washington. The main telephone number is (360) 664-0388, and the fax number is (360) 753-0139.

If no further action is taken, the Director's determination becomes final.

c: Sharon Sterling
Ellen Andrews, DSHS CCU
Lisa Skriletz, DOP

Enclosure: List of Exhibits

Sharon Sterling v. Dept. of Social and Health Services

ALLO-09-068

List of Exhibits

A. Sharon Sterling Exhibits

1. Request for a Director's Review, dated November 9, 2009.
2. Supplemental letter of explanation from Sharon Sterling.
3. Agency Determination letter, dated October 22, 2009. (No attachments)
4. Position Description Form (PDF) - Duplicate of Exhibit B-3.
5. Organizational Chart (Children's Administration Finance & Operations Support Division).
6. Children's Administration – Recruitment Documentation Checklist example.
7. Qualification Assessment Worksheet – old form sample.
8. Qualification Assessment worksheet – new form sample.
9. DSHS Children's Administration Social Worker Series – Required education qualification guidelines.
10. PDF for position ST82 – HRC1, 8/8/06.
11. PDF for position ST82 – HRC1, unsigned.
12. PDF for position SX26 – HRC1.
13. PDF for position QQ39 – HRC1.
14. PDF for position KP64 – HRC1.
15. Time and Attendance Data Entry View screen – HRMS, beginning February 2009.
16. Position Statement letter from Sharon Sterling to Kris Brophy, dated April 22, 2010.
17. Final Response letter from Sharon Sterling to Kris Brophy dated May 10, 2010.

B. Department of Social and Health Services Exhibits

1. PDF submitted by Sharon Sterling, signed September 11, 2008 (includes organizational chart).
2. PDF initiating position, dated February 13, 2009.
3. Revised PDF submitted by Debbie Cheney Strange, submitted to DSHS CCU on October 7, 2009. (This PDF includes the revised duties and percentages of work)
4. Organizational Chart for Children's Administration Finance and Operations Support Division.
5. E-mail from Sharon Sterling to Ellen Andrews regarding Desk Audit, dated October 15, 2009.
6. E-mail from Debbie Strange to Ellen Andrews regarding the re-write of the PDF for Sharon Sterling, dated October 7, 2009. (See Exhibit B-3)
7. Position Statement response letter from Ellen Andrews to Kris Brophy, dated April 30, 2009.

C. Director's Exhibits

1. Class Specification: Human Resource Consultant Assistant 1 (123E)
2. Class Specification: Human Resource Consultant Assistant 2 (123F)
3. Class Specification: Human Resource Consultant 1 (119E)